UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

ABDUL AL-HAKEEM AFIZ,)	
a/k/a Miron Taylor,)	
)	
Plaintiff,)	
)	
VS.)	No. 4:09-CV-526 CAS
DAVID E. FIGUEROA,)	
)	
)	
Defendant.)	

MEMORANDUM AND ORDER OF TRANSFER

This matter is before the Court on plaintiff's filing of a complaint on April 2, 2009.

Plaintiff brings this action pursuant to 42 U.S.C. § 1983. All of the named defendants are located in the Western District of Missouri, and all of the events described in the complaint occurred in the Western District of Missouri.

Under 28 U.S.C. § 1391(b), an action of this type may "be brought only in (1) a judicial district where any defendant resides, if all defendants reside in the same State, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought." Because defendants are located in the Western District, and because the events that gave rise to this case occurred in the Western District, venue is proper in the Western District of Missouri.

Under 28 U.S.C. § 1406(b), "[t]he district court of a district in which is filed a case laying venue in the wrong division or district shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought." Under the circumstance of this

case, the Court finds that it is in the interest of justice to transfer this action to the United States

District Court for the Western District of Missouri.

Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court shall transfer the above-captioned cause of action to the United States District Court for the Western District of Missouri.

CHARLES A. SHAW

UNITED STATES DISTRICT JUDGE

Dated this 27th day of April, 2009.